

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

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SILVER KRIEGER,

Plaintiff,

-against-

THE BROOKLYN MUSEUM OF ART FUND, INC.

Defendant.
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15 CV 6528

**DEFENDANTS FIRST
NOTICE FOR
DISCOVERY AND
INSPECTION**

Defendant, THE BROOKLYN MUSEUM OF ART FUND, INC., by and through its Attorneys, Litchfield Cavo, LLP, as and for their First Notice for Discovery and Inspection to the Plaintiff, hereby request responses to the following demands within the next twenty (20) days:

STATEMENTS

1. Written statements of the Answering Defendant in your possession.
2. Records, memoranda, notes, tape recordings, or other recorded communications made of or by the Answering Defendant in your possession, including e-mails, voicemails, telephone records, so-called "instant messages" and related items.
3. The name and residence of each and every individual who spoke, discussed, or otherwise communicated with the Defendant about the occurrences detailed in Plaintiff's Complaint, together with the business and residence address of each named individual, any notes or memoranda made by such individuals, or by any one on behalf of Plaintiff with respect to each such conversation, discussion, or review.

WITNESSES

1. Names and addresses of each person claimed, by any party whom you represent, to be a witness of any of the following:

(a) The occurrence(s) alleged in the Plaintiff's Verified Complaint;

- (b) Any acts, omissions, or conditions which allegedly caused the occurrence(s) alleged in the Plaintiff's Verified Complaint;
- (c) The damages claimed in this action.

PLEASE TAKE FURTHER NOTICE, that if no such witnesses are known, so state in the reply to this Demand.

The undersigned will object, upon the trial of this action, to the testimony of any witnesses not so identified.

DOCUMENTS

1. All/each document in the possession of Plaintiff that describe with specificity all of the responsibilities of Defendant to Plaintiff.
2. Written statements of the Answering Defendants by its agents, servants, or employees in the possession of the Plaintiff.
3. Records, memoranda, notes, tape recordings, or other recorded communications of or by the Answering Defendant in the possession of the Plaintiff.
4. The name and residence address and business address of each and every individual who interviewed or otherwise communicated with the Answering Defendant, their agents, servants or employees about the occurrences described in the Plaintiff's Complaint and copies of any notes or memoranda made by such individuals, or by anyone on behalf of Plaintiff with respect to each such conversation, discussion or interview.
5. A copy of the affidavit of service of Plaintiff's process upon the Answering Defendants.

6. All documents, correspondence, notes or memoranda relating to communications between Plaintiff, Plaintiff's agents, representative and attorneys and Defendant, including, but not limited to:

- (a) Correspondence from Plaintiff, Plaintiff's agents, representatives and attorneys to Defendants;
- (b) Correspondence from Defendant to Plaintiff, Plaintiff's agents, representatives and attorneys;
- (c) All documents, records or reports prepared by Defendant;
- (d) All correspondence from Defendant to any third party.

EXPERTS


1. The name of each person whom Plaintiff expects to call as an expert witness at trial.
2. A detailed statement of the subject matters on which each expert witness is expected to testify;
3. The substance of the facts and opinions on which each expert witness is expected to testify;
4. The qualifications of each expert witness; and
5. A summary of the grounds of each expert's opinion.

Please take further notice that your failure to comply with the foregoing, within twenty (20) days, will serve as the basis of a motion for appropriate relief with the Court.

Dated: New York, New York
December 10, 2015

LITCHFIELD CAVO LLP

By:



Brian S. Gitnik (BSG3776)
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 434-0100
Attorneys for Defendant

To: Walker G. Harman, Jr.
Edgar M. Rivera
The Harman Firm, LLP
1776 Broadway, Suite 2030
New York, New York 10019
(212) 425-2600